

**STATE OF NEW YORK
LOCAL CRIMINAL COURT**

**COUNTY OF TIOGA
TOWN OF OWEGO**

THE PEOPLE OF THE STATE OF NEW YORK

vs.

MICHAEL J. MCVICKER DOB: 06/10/1972

Defendant

FELONY COMPLAINT

Murder In the Second Degree

BE IT KNOWN THAT, by this Felony Complaint, Inv. Randy K. Smith, the Complainant herein, stationed at SP Owego, NY, accuses Michael J. McVicker, the above-mentioned Defendant, with having committed the Class A-1 Felony of Murder in the second degree in violation of Section 125.25, subdivision 3, of the Penal Law of the State of New York.


THAT: On the 9th day of May 2019, at approximately 5:45 AM, and while at 5 Dorothy Rd, in the Town of Owego, County of Tioga, State of New York the Defendant did intentionally, knowingly, and unlawfully, commit the Class A-1 Felony of Murder in the second degree. A person is guilty of Murder in the second degree, subdivision 3, when acting either alone or with one or more other persons, he commits or attempts to commit robbery, burglary, kidnapping, arson, rape in the first degree, criminal sexual act in the first degree, sexual abuse in the first degree, aggravated sexual abuse, escape in the first degree, or escape in the second degree, and in the course of an in furtherance of such crime or of immediate flight therefrom, he, or another participant, if there be any, causes the death of a person other than one of the participants.

TO WIT: On the above stated date and time, while at 5 Dorothy Rd, in the Town of Owego, County of Tioga, State of New York, Michael J. McVicker while committing a home invasion burglary with Curtis G. Cuttino (dob: 06/02/1978) did cause the death of Brian A. Argro, who was not a participant in the burglary. All contrary to the provisions of the statute made and provided herein.

The above allegations of fact are made by the complainant herein upon information contained in an official investigation conducted by the New York State Police.

In a written instrument, any person who knowingly makes a false statement which such person does not believe to be true has committed a crime under the laws of the State of New York, punishable as a Class A Misdemeanor. (PL 210.45)

**Affirmed under penalty of perjury
this 9th day of May, 2019.**


Inv. Randy K. Smith
New York State Police - Owego